

# Prevention of domestic violence

**Act of 29 July 2005**

# THE LAW DEFINES:

- 1) The tasks in the range of counteracting the violence in family;**
- 2) Procedures apply to those persons affected by domestic violence**
- 3) The rules of acting towards the persons who abuse the violence in family.**

# THE VIOLENCE IN FAMILY

**It is a single or intentionally repeated operation or omission which violates the law or the personal interests of individuals, especially those who expose these people's to danger of losing their life, health, which violates their dignity, immunity, freedom (including sexual freedom), which cause damage to their physical or mental health, as well as causing the suffering and moral damage to persons affected by the violence.**

A person affected by domestic violence

receive an assistance in the following fields:

- ➔ **Medical, social, family and psychological counselling, legal advice;**
- ➔ **Crisis intervention and support;**
- ➔ **Protection from further harm by preventing those violent use of jointly occupied with other members of the family dwelling, and prohibit contact and approach the victim;**

- ➔ **Ensure (on request) to a person affected by the violence safe shelter in the centre for victims of domestic violence.**
- ➔ **The medical examination to determine the causes and types of injuries associated with domestic violence and issue a medical certificate to that effect;**
- ➔ **Providing the person affected by the domestic violence (which has no legal title to the jointly occupied premise with the perpetrator of domestic violence) an assistance in obtaining housing.**

The duty of the municipality is to create  
the system of counteracting domestic violence including:

- ➔ **Development and realization of the municipal program against domestic violence and protect victims of domestic violence;**
- ➔ **Providing counseling and intervention for the prevention of domestic violence in particular through educational activities designed to strengthen care and educational competence of parents in families at risk of domestic violence;**
- ➔ **Provide those affected by violence in the family of the support centers ;**
- ➔ **Creating interdisciplinary teams.**

## The tasks of the counties shall include in particular:

- ➔ **Develop and implement the district program of combating domestic violence and protecting victims of domestic violence;**
- ➔ **Develop and implement programs for preventive measures aimed at providing specialist support, particularly in the promotion and implementation of proper educational methods for children in families at risk of domestic violence;**
- ➔ **Provide people affected by domestic violence with the accomodation in the crisis intervention centres.**

# The tasks of government administration should be implemented by district and comprise:

- ➔ **Development and maintenance of specialist support centres for victims of domestic violence;**
- ➔ **Develop and implement corrective and educational programs for perpetrators of domestic violence.**
- *Funds for carrying out the tasks referred to above, provides the state budget .*

- ➔ **Authorities and local government interact with NGOs, churches and religious groups in providing assistance to people affected by violence, the impact on persons who use violence and to raise public awareness about the causes and consequences of domestic violence.**
- ➔ **Authorities and local government can delegate the tasks defined in the Act as provided in the Act on social assistance or in the Act on Public Benefit and Volunteer Work.**

- Persons who, in connection with the performance of their duties to take a suspicion of committing violent crimes against family members, **immediately inform the police or the prosecutor.**
- **People who witness violence in the family should notify the police, prosecutor or other entity acting for the prevention of domestic violence.**

- ➔ **In the event of imminent danger to life or health of the child in relation to domestic violence, social worker performing official duties is entitled to collect the children from the family and put them together with another person not residing near, a foster family or in the hour-educational residential institution.**
- ➔ **The decision referred to in paragraph. 1, is made by a social worker, a police officer and a doctor, or medical rescuer, or nurse.**

- **A social worker must immediately notify the guardianship court, but not later than within 24 hours of receiving a child from the family and placed it at the nearest person not residing together in a foster family or in the hour-educational residential institution .**
- **Parents, legal guardians or actual, may appeal to the court to receive child care. The complaint may require an examination of the merits and legality pick up the child and the regularity (correctness) of its executing.**
- **In case of unreasonableness, illegality or irregularity of taking away the child, the court shall notify the supervisors of persons who have been responsible for improper working.**

- ➔ **If there are any circumstances of the arrest the accused of a crime of domestic violence, the court may apply provisional arrest or police surveillance, provided that the accused leave the premise occupied jointly with the victim in the deadline setting by the court, and identify (defendant) the place of his residence.**
- ➔ **In the event of leaving the premises, a restriction may also rely on refraining from contact with the victim in a certain way.**

# Interdisciplinary team

**1) Interdisciplinary team is appointed by mayor, or president of the city.**

**2) The interdisciplinary team consists of representatives:**

- social welfare agencies;**
- municipal committee alcohol problems;**
- police;**
- probation court services;**
- education;**
- health care;**
- NGOs.**

- ➔ **The interdisciplinary team also includes probation officers.**
- ➔ **The interdisciplinary team may also include prosecutors and representatives of entities other than previously stated, working to prevent domestic violence.**
- ➔ **Interdisciplinary team working on the basis of agreements concluded between the social assistance centre director and the above-mentioned entities.**
- ➔ **Interdisciplinary team may establish working groups to resolve problems associated with the occurrence of domestic violence in individual cases.**

**1) Multidisciplinary team carries out activities specified in the municipal program of combating domestic violence and protecting victims of domestic violence.**

**2) The purpose of the interdisciplinary team is to integrate and coordinate the activities of the representatives of stakeholders and experts in dealing with domestic violence in particular by:**

- diagnosing the problem of domestic violence;**
- engaging in potentially domestic violence to combat the phenomenon;**
- initiating interventions in the environment affected by domestic violence;**

- **dissemination of information about institutions, people and capabilities to assist in the local environment;**
- **initiating action against persons who use domestic violence;**

**3) The tasks of the working group should be included, in particular:**

- **development and implementation plan for the assistance in individual cases;**
- **monitoring the situation of families in which violence occurs, and families at risk of violence;**
- **documenting actions taken against families in which violence occurs and the impact of these actions.**

## The procedure of "Blue Card"

- ➔ **Interventions in the environment for the family affected by the violence done by the procedure "Blue Card" and does not require the consent of the person affected by domestic violence.**
- ➔ **The procedure covers all activities undertaken and carried out by representatives of social welfare agencies, municipal committees alcohol problems, police, education and health, due to the existence of reasonable suspicion of domestic violence.**
- ➔ **Representatives of the entities referred to above provide information about actions taken by chairman of the interdisciplinary team.**

# Family and Guardianship Code

**Those who have parental responsibility, care or custody of minors are prohibited to use corporal punishment, inflicting mental suffering and other forms of humiliating the child.**